Judge Thomas S. Zilly 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 RICHARD BRADDOCK, 10 No. 2:16-cv-01756-TSZ Plaintiff, 11 STIPULATION AND ORDER RENOTING PLAINTIFF'S AND INDIVIDUAL VS. 12 **DEFENDANTS' MOTIONS FOR** ZAYCON FOODS, LLC, a Washington PARTIAL SUMMARY JUDGMENT 13 limited liability company; FRANK R. 14 MARESCA, JANE DOE MARESCA and the marital community composed thereof; 15 MICHAEL GIUNTA, JANE DOE GIUNTA and the marital community composed thereof; 16 MIKE CONRAD, JANE DOE CONRAD and the marital community composed thereof; and 17 ADAM KREMIN, JANE DOE KREMIN and 18 the marital community composed thereof, 19 Defendants. 20 21 22 23 24 25 26 27 STIPULATION AND ORDER LEE & HAYES, P.C.

STIPULATION AND ORDER RE-NOTING THE PARTIES' MOTIONS FOR SUMMARY JUDGMENT - 1 2:16-cv-1756-TSZ

601 West Riverside Ave., Suite 1400 Spokane, Washington 99201 Telephone: (509) 324-9256 Fax: (509) 323-8979

STIPULATION

All parties, through their respective counsel undersigned, stipulate as follows:

- 1. The parties filed motions for partial summary judgment on October 24 and 25, 2018. Dkt. #s 119, 124.
- 2. The motions are currently noted on the motion calendar for December 7, 2018. Dkt. # 128.
- 3. Good cause exists to re-note the parties' summary judgment motions for the reasons set forth below.
- 4. Attorney Geana Van Dessel changed firms to Kutak Rock LLP effective October 1, 2018, and subsequently withdrew from the instant action. Dkt. # 115.
- 5. On December 3, 2018, attorney Van Dessel filed her Notice of Association of Counsel for Defendants Frank R. Maresca and Jane Doe Maresca. Dkt. # 137.
- 6. Attorney Van Dessel filed a Notice of Appearance for Defendants Michael Giunta and Jane Doe Giunta on December 4, 2018. Dkt. # 145.
- 7. As of the filing of this Stipulation, Attorney Van Dessel has not received a copy of her prior firm's client file, but has been advised it will be delivered tomorrow, December 6, 2018. Attorney Van Dessel will need to incorporate the file in her new firm's system, and have time to adequately participate in the preparation of the reply brief in support of the Individual Defendants' Motion for Partial Summary Judgment.
- 8. In addition, Attorney Van Dessel is traveling this week between Spokane and Portland, Oregon, and has other competing professional obligations, including briefing due this week, client meetings Friday, December 7 and a federal court appearance next week in Yakima, Washington.
- 9. Further, attorney Sarah E. Elsden, counsel for Defendants Maresca, Kremin, and Conrad, must travel to and appear in another federal court matter in Houston, Texas on Friday, December 7, 2018.

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1	10.	Counsel for Individual Defendants consulted with Plaintiff's Counsel, who	
2	agreed to stipulate to the request to re-note Defendants' summary judgment motion, in return for		
3	the same courtesy for Plaintiff's motion.		
4	11.	This request is not made for purposes of delay and will not prejudice the parties by	
5	extending the	respective reply deadlines by one-week.	
6	12.	The parties stipulate and agree to re-note their respective summary judgment	
7	motions to De	ecember 14, 2018.	
8	Respectfully stipulated and submitted this 5th day of December, 2018.		
9			
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۷3	MICHAEL GIONTA, JAME DOE GIONTA
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ORDER The Court, having reviewed the above stipulation, finds good cause exists to re-note the 3 parties' respective Motions for Partial Summary Judgment (Dkt. # 119 and Dkt. # 124) from December 7, 2018, to December 14, 2018. Both parties' reply briefing will be due on the noting 4 5 date, pursuant to local rule. DATED this 6th day of December, 2018. 6 7 homas & fell 8 Thomas S. Zilly 9 United States District Judge 10 Presented by: 11 By s/ Sarah E. Elsden Sarah E. Elsden, WSBA #51158 12 LEE & HAYES, PC 601 W. Riverside Ave., Ste. 1400 13 Spokane, WA 99201 14 Telephone: (509) 944-4682 Fax: (509) 323-8979 15 Sarah.Elsden@leehayes.com 16 Attorney for Defendants Frank R. Maresca, 17 Jane Doe Maresca, Mike Conrad, Jane Doe Conrad, Adam Kremin and Jane Doe Kremin 18 19 By: s/ Geana M. Van Dessel Geana M. Van Dessel, WSBA #35969 20 KUTAK ROCK LLP 21 510 West Riverside Avenue, Suite 800 Spokane, WA 99201-0506 22 Telephone: (509) 747-4040 Facsimile: (509) 747-4545 23 Geana.VanDessel@KutakRock.com 24 Attorneys for Defendants Frank R. Maresca Jane Doe Maresca, Michael Giunta, and 25 Jane Doe Giunta 26 27

STIPULATION AND ORDER RE-NOTING THE PARTIES' MOTIONS FOR SUMMARY JUDGMENT - 5 2:16-cv-1756-TSZ LEE & HAYES, P.C. 601 West Riverside Ave., Suite 1400 Spokane, Washington 99201 Telephone: (509) 324-9256 Fax: (509) 323-8979

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	STIPULATION AND ORDER

RE-NOTING THE PARTIES'

2:16-cv-1756-TSZ

MOTIONS FOR SUMMARY JUDGMENT - 6

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